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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PATRICE AVERY,)	Case No.: 1:24-cv-00148-BAM
)	
)	STIPULATION FOR VOLUNTARY
)	REMAND PURSUANT TO SENTENCE
)	FOUR OF 42 U.S.C. § 405(g) AND ORDER
Plaintiff,)	
)	
v.)	
MARTIN O'MALLEY,)	
Commissioner of Social Security)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision. The parties agree that no specific aspect of the Commissioner's final decision is affirmed.

On remand, the Commissioner will offer Plaintiff the opportunity for a hearing; develop the record as necessary; and issue a new decision. The parties further request that the Clerk of

the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

DATE: June 3, 2024

/s/ Megan E. Ruble*
MEGAN E. RUBLE
Attorney for Plaintiff
(* approved via email on 5/30/24)

PHILLIP A. TALBERT
United States Attorney

DATE: June 3, 2024

By s/ Marcelo Illarmo
MARCELO ILLARMO
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of the Court is directed to enter final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: June 3, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE